

Senate File 2366 - Introduced

SENATE FILE 2366
BY COMMITTEE ON LABOR AND
BUSINESS RELATIONS

(SUCCESSOR TO SSB 3158)

A BILL FOR

1 An Act relating to work and employment and training
2 requirements for public assistance programs, and including
3 effective date and implementation provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **234.12C Work requirement waivers.**

2 Unless expressly required by federal law, the department
3 of human services shall not seek, apply for, accept, or renew
4 any waiver of work requirements for supplemental nutrition
5 assistance program benefits as established under 7 U.S.C.
6 §2015(o).

7 Sec. 2. NEW SECTION. **234.12D Employment and training**
8 **assignment in food assistance.**

9 The department of human services shall assign individuals
10 receiving food assistance program benefits subject to
11 requirements established under 7 U.S.C. §2015(d)(1) who are not
12 otherwise exempt under 7 U.S.C. §2015(o), to an employment and
13 training program as defined in 7 U.S.C. §2015(d)(4).

14 Sec. 3. NEW SECTION. **237A.14 Child care assistance —**
15 **graduated eligibility phase-out.**

16 1. At the time of a twelve-month eligibility
17 redetermination for a family receiving state child care
18 assistance, the family shall remain eligible to receive
19 child care assistance, subject to the graduated eligibility
20 phase-out program as specified in subsection 2, if either of
21 the following conditions are met:

22 a. The family's nonexempt gross monthly income is determined
23 to be at least one hundred eighty-five percent but less than
24 two hundred twenty-five percent of the federal poverty level
25 applicable to the family size for children needing basic care.

26 b. The family's nonexempt gross monthly income is determined
27 to be at least two hundred percent but less than two hundred
28 fifty percent of the federal poverty level applicable to the
29 family size for children needing special needs care.

30 2. a. A family with an income at two hundred twenty-five
31 percent of the federal poverty level applicable to the
32 family size for children needing basic care or at two hundred
33 fifty percent of the federal poverty level applicable to the
34 family size for children needing special needs care shall
35 be responsible for payment of fifty percent of the cost of

1 all children in the family participating in the child care
2 assistance program.

3 *b.* A family with an income of at least one hundred
4 eighty-five percent but less than two hundred twenty-five
5 percent of the federal poverty level applicable to the family
6 size for children needing basic care or at least two hundred
7 percent but less than two hundred fifty percent of the federal
8 poverty level applicable to the family size for children
9 needing special needs care shall contribute to the costs of
10 child care in accordance with a sliding fee schedule to be
11 established by the department.

12 3. Child care provider reimbursement rates under the
13 graduated eligibility phase-out program shall be the same rates
14 as the child care provider reimbursement rates in effect on
15 July 1, 2020.

16 4. The department of human services shall adopt rules
17 pursuant to chapter 17A in accordance with this section.

18 Sec. 4. NEW SECTION. **249A.3B Work requirements.**

19 1. Unless exempt pursuant to subsection 2, an individual
20 shall not be eligible for Medicaid unless the individual
21 meets one of the following requirements, as determined by the
22 department:

23 *a.* Is working twenty hours or more per week, averaged
24 monthly.

25 *b.* Is participating in and complying with the requirements
26 of a work program twenty hours or more per week.

27 *c.* Is volunteering twenty hours or more per week.

28 *d.* Is meeting any combination of working, participating in
29 a work program, and volunteering for a total of twenty hours
30 or more per week.

31 *e.* Is participating and complying with the requirements of a
32 workfare program.

33 2. Subsection 1 shall not apply to an individual who meets
34 any of the following conditions:

35 *a.* Is under eighteen years of age.

1 *b.* Is over sixty-four years of age.

2 *c.* Is medically certified as physically or mentally unfit
3 for employment including individuals who have been determined
4 to have a disability for the purposes of federal assistance
5 programs including but not limited to veterans determined to be
6 disabled by the United States department of veterans affairs
7 and individuals determined to have a disability pursuant to
8 title II of the federal Social Security Act.

9 *d.* Is pregnant.

10 *e.* Is a parent or caretaker responsible for the care of a
11 dependent child under one year of age.

12 *f.* Is a parent or caretaker personally providing the care
13 for a dependent child with a serious medical condition or with
14 a disability, as determined by the department.

15 *g.* Is receiving unemployment compensation and complying
16 with work requirements that are part of the federal-state
17 unemployment compensation system.

18 *h.* Is participating in a drug addiction or alcoholic
19 treatment and rehabilitation program.

20 Sec. 5. ADMINISTRATION PROVISIONS.

21 The department of human services shall do all of the
22 following:

23 1. Submit any state plan amendment or waiver needed to
24 implement the provisions of this Act no later than January 1,
25 2021.

26 2. Adopt rules pursuant to chapter 17A as necessary to
27 administer this Act.

28 Sec. 6. EFFECTIVE DATE. This Act, being deemed of immediate
29 importance, takes effect upon enactment.

30 Sec. 7. IMPLEMENTATION. Implementation of the provisions
31 of this Act shall be in accordance with the following:

32 1. If a provision does not require federal approval, the
33 provision shall be implemented beginning January 1, 2021.

34 2. If a provision requires federal approval, the provision
35 shall only be implemented upon receipt by the department of

1 human services of such federal approval.

2 EXPLANATION

3 The inclusion of this explanation does not constitute agreement with
4 the explanation's substance by the members of the general assembly.

5 This bill relates to work and employment and training
6 requirements for public assistance programs.

7 The bill provides that unless expressly required by federal
8 law, DHS shall not seek, apply for, accept, or renew any waiver
9 of work requirements for supplemental nutrition assistance
10 program benefits as established under federal law. DHS is
11 required to assign individuals receiving food assistance
12 program benefits subject to requirements established under
13 federal law who are not otherwise exempt under federal law to
14 an employment and training program.

15 The bill also establishes a graduated eligibility phase-out
16 program for state child care assistance.

17 The bill provides that at the time of a 12-month eligibility
18 redetermination for a family receiving state child care
19 assistance, the family shall remain eligible for child care
20 assistance, subject to the graduated eligibility phase-out
21 program, if either the family's nonexempt gross monthly
22 income is at least 185 percent but less than 225 percent of
23 the federal poverty level applicable to the family size for
24 children needing basic care or the family's nonexempt gross
25 monthly income is at least 200 percent but less than 250
26 percent of the federal poverty level applicable to the family
27 size for children needing special needs care.

28 The bill provides that a family with an income at 225
29 percent of the federal poverty level applicable to the family
30 size for children needing basic care or at 250 percent of
31 the federal poverty level applicable to the family size for
32 children needing special needs care shall be responsible for
33 payment of 50 percent of the cost of all children in the
34 family participating in the child care assistance program. A
35 family with an income of at least 185 percent but less than

1 225 percent of the federal poverty level applicable to the
2 family size for children needing basic care or at least 200
3 percent but less than 250 percent of the federal poverty level
4 applicable to the family size for children needing special
5 needs care shall contribute to the costs of child care in
6 accordance with a sliding fee schedule to be established by the
7 department.

8 The bill provides that child care provider reimbursement
9 rates under the graduated eligibility phase-out program
10 shall be the same rates as the child care assistance provider
11 reimbursement rates in effect on July 1, 2020.

12 The department of human services is directed to adopt rules
13 in accordance with the state child care assistance provisions
14 in the bill.

15 With regard to the Medicaid program, the bill prohibits a
16 person from being eligible for Medicaid unless the individual
17 meets one of the work-related requirements specified in the
18 bill. The bill specifies those individuals exempt from the
19 work-related requirements.

20 The bill requires DHS to submit any state plan amendment or
21 waiver necessary to implement the bill no later than January
22 1, 2021, and to adopt administrative rules as necessary to
23 administer the bill.

24 The bill takes effect upon enactment. The provisions of the
25 bill that do not require federal approval shall be implemented
26 beginning January 1, 2021; and those that require federal
27 approval shall only be implemented upon receipt by DHS of such
28 federal approval.